

ORDINANCE NO. 2002 - 045

1
2
3 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
4 OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989
5 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO.
6 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION**
7 **ELEMENT** (TO DESIGNATE SEGMENTS OF OKEECHOBEE
8 BOULEVARD BETWEEN BENOIST FARMS ROAD AND JOG ROAD
9 AS A CONSTRAINED ROADWAY AT A LOWER LEVEL OF
10 SERVICE FACILITY); AND AMENDING ALL ELEMENTS AS
11 NECESSARY; PROVIDING FOR REPEAL OF LAWS IN
12 CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING
13 FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND
14 PROVIDING FOR AN EFFECTIVE DATE
15

16 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of
17 County Commissioners adopted the 1989 Comprehensive Plan by Ordinance
18 No. 89-17; and

19 **WHEREAS**, the Palm Beach County Board of County Commissioners
20 amends the 1989 Comprehensive Plan as provided by Chapter 163, Part
21 II, Florida Statutes; and

22 **WHEREAS**, the Palm Beach County Board of County Commissioners have
23 initiated amendments to several elements of the Comprehensive Plan in
24 order to promote the health, safety and welfare of the public of Palm
25 Beach County; and

26 **WHEREAS**, the Palm Beach County Local Planning Agency conducted
27 its public hearings on February 22, March 1, and March 8, 2002 to
28 review the proposed amendments to the Palm Beach County Comprehensive
29 Plan and made recommendations regarding the proposed amendments to the
30 Palm Beach County Board of County Commissioners pursuant to Chapter
31 163, Part II, Florida Statutes; and

32 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
33 the governing body of Palm Beach County, conducted a public hearing
34 pursuant to Chapter 163, Part II, Florida Statutes, on April 8, 2002
35 to review the recommendations of the Local Planning Agency, whereupon
36 the Board of County Commissioners authorized transmittal of proposed
37 amendments to the Department of Community Affairs for review and
38 comment pursuant to Chapter 163, Part II, Florida Statutes; and

39 **WHEREAS**, Palm Beach County received on July 1, 2002 the
40 Department of Community Affairs "Objections, Recommendations, and
41 Comments Report," dated June 28, 2002 which was the Department's
42 written review of the proposed Comprehensive Plan amendments; and

43 **WHEREAS**, on August 28, 2002 the Palm Beach County Board of County

Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments as modified satisfy the concerns addressed in the Department of Community Affairs' "Objections, Recommendations and Comments Report" and comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the text of the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

- A. Transportation Element**, To designate segments of Okeechobee Boulevard between Benoist Farms Road and Jog Road as a Constrained Roadway at a Lower Level of Service Facility; and
- B. Amending all elements as necessary for internal consistency.**

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3

APPROVED AND ADOPTED by the Board of County Commissioners of
Palm Beach County, on the 28 day of August, 2002.

~~DOROTHY~~ H. WILKEN, Clerk

By Warren H. Newell, Chairman


COUNTY ATTORNEY

T:\Planning\AMEND\02-1\admin\bccadopt\Ordinances\OkeeCRALLS-West-Ord.rtf

EXHIBIT 1

A. Transportation Element, Okeechobee Boulevard CRALLS – West

REVISIONS: To add language in Policy 1.2-f designating segments of Okeechobee Boulevard as a CRALLS facility. The added text is shown in underlined.

1. **REVISED Policy 1.2-f:** The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. *(Unchanged text omitted for brevity)*

23) The following roadways are hereby designated as a CRALLS facility, subject to mitigation criteria to be determined, consistent with Transportation Policy 1.2-q:

- a) Okeechobee Boulevard from Benoist Farms to Skees Road:
Peak Hour Standard: 6,150 vehicles per hour
Daily Level of Service Standard: 64,300 vehicles per day
Total trips for new projects: 790 vehicles per hour
- b) Okeechobee Boulevard from Skees Road to Jog Road:
Peak Hour Standard: 6,150 vehicles per hour
Daily Level of Service Standard: 73,389 vehicles per day
Total trips for new projects: 790 vehicles per hour

No development order or permit dependent on this CRALLS shall be issued until adoption of the ULDC revisions to implement the associated point system and traffic sensitive uses described in Transportation Policy 1.2-q. The duration of this CRALLS shall be two years from its effective date, but shall not apply in any case after 30 months from the date of adoption of this amendment.

For the segment of Roebuck Road, west of Jog Road, the County commits to acquire right of way from the City of West Palm Beach within 12 months from the date of adoption of this amendment.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 28, 2002
DATED at West Palm Beach, FL on 9/10/02
DOROTHY H. WILKEN, Clerk
By: Wanda Brown D.C.